

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services-Treasuries & Accounts Department-Guntur District-Sri Arun Kishore Babu, Senior Accountant (Retd)-Disciplinary action initiated on the irregularities noticed during the annual inspection-Further action dropped -Orders-Issued.

FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 3465

Dt.23-09-2009

Read the following:

- Ref: 1.Charge Memo.No.10710/03/A1, dt.8.1.04 of the DD, DTO, Guntur
2.Explanation of the individual dated.
3.Enquiry Report of Sri S.Gangappa, ATO, DTO, Guntur, dt.1.2.06.
4.Final Show Cause Notice dt.31.08.06 to the individual
5.Reply of the individual, dated.17.10.2006.
6.Lr.No.K(I)4/805/2004, dt.28.11.2008 of the DTA, AP, Hyderabad

ORDER:

Disciplinary proceedings were initiated against Sri Arun Kishore Babu, Junior Accountant of Guntur District Treasury Unit for the alleged misconduct while he was working at Sub Treasury, Gurazala. The following charges were framed against the individual vide reference 1st read above.

Charge: I:-

“that the said Sri S.Arun Kishore Babu, Senior Accountant, Sub Treasury, Guruzala has manipulated the contingent register fo the Sub Treasury Office, Gurazala by adding the name of Sri B.Saida S/o B.Ramulu to facilitate the continuation of unauthorized person to work at Sub Treasury, Gurazala”.

Charge: II:-

“that the said Sri S.Arun Kishore Babu, Senior Accountant, Sub Treasury, Guruzala during the period from 1.4.1996 to date while working as Senior Accountant has failed to discharge his duties with devotion and care as laid down in Rule 8(1) of the Andhra Pradesh Civil Services (conduct rules, 1964).

Charge: III-

“that the said Sri S.Arun Kishore Babu, Senior Accountant, Sub Treasury, Guruzala has furnished false information to the higher authorities to facilitate the irregular continuation of Sri B.Saida as part time contingent worker”.

2. In the reference 2nd read above, in his explanation on the charges, he has stated that Sri B.Saida S/o B.Ramulu was working since the opening of the contingent register in 1989. He was the Accountant concerned to process the wages bill. He followed the procedure which was followed earlier to him. He replied that he has discharged his duties with utmost care and in devotion obeying the instructions of the Sub Treasury Officer since Sri B.Saida S/o B.Ramulu is being continued in office. He has written the contingent bills as per the instructions issued by the then Sub treasury Officer. He has not questioned the appointment orders of Sri B.Saida since it is the look out of the Sub Treasury Officer to question the appointment order. He replied that Sri B.Saida S/o Ramulu is not known to him prior to his joining in Gurazala Sub Treasury. He is not of his caste nor relative and he is not of his native place to furnish false information to the higher authorities to facilitate the irregular continuation of Sri B.Saida as daily wages worker. There are certain occasions in which the Sub Treasury Officer Sri G.V.Subba Rao had prepared contingent bills duly noting in the contingent register. The period and the amount payable to the Masalchi after obtaining the signature of Sri B.Saida the then Sub Treasury Officer Sri G.V.Subba Rao was attested his signature. It is not known how he offered the explanation stating that Sri B.Ramulu has worked as contingent worker, most probably he might give wrong information due to his old age.

3. Not satisfied with the written statement of defence a regular enquiry was ordered under Rule 20 of APCS (CC&A) Rules, 1991, the Enquiry Officer has submitted his report. The Enquiry Officer has observed for Charge-I that the charged officer explained that he adopted the procedure what was done earlier by his predecessors and he never manipulated or added newly any time. It is quite contradictory to the letter issued by District Treasury Officer, Guntur on 15.4.1997 and the statements of retired Sub Treasury Officers, and Sri B.Ramulu, senior Accountant, Sub treasury, Narasaraopet. No where in the contingent register the name of B.Ramulu was erased or rubbed and wrote the name of Saida instead of B.Ramulu. All the staff members working stated that Sri B.Saida was discharging as part time contingent worker duties and they didn't know about Ramulu as part time contingent worker. Sri G.V.Subba Rao, STO (Rtd) Gurazala deposed that he worked in Sub Treasury Officer, Gurazala as LDA, UDA and STO. He worked as LDA during the period 1971 to 1976 at Sub Treasury, Gurazala. During this period Sri Bandi Mastan and Raju were working as Masalchies one after the other (vide his explanation). Hence it is clear that neither B.Ramulu nor B.Saida worked as masalchi during this period.

4. But District Treasury Officer, Guntur issued the list of Masalchies working in the District and the date from which they were working as Masalchies in the various Sub Treasuries B.Ramulu was also in the list and his date of working in the Sub Treasury, Gurazala is 1.2.1973 (Vide DTO/GNT Rc.No.3662/97/A2, dt.15.4.1997). Hence, it may be inferred that the statement given by Sri G.V.Subba Rao, Sub Treasury Officer, (Retd) may be false and that he has given false evidence. The other two witnesses Sri N.Someswara Rao, STO (Rtd) and Sri M.V.Ramulu, SA also deposed that Sri B.Ramulu was working as masalchi during their period at Sub Treasury, Gurazala but there is no record or circumstantial evidence to assert the fact. The name of Sri B.Saida has been appearing in the contingent register since 1989. The signature of Saida is found from 1989 and the signature of Sri B.Ramulu was found as witness as a father only and there after Sri B.Saida's signature is only found. Further Sri S.Arunkishore babu, Senior Accountant deposed that Sri B.Saida's name was being continued with the notice of the Sub Treasury Officers at that time. Sri S.Arunkishore Babu, Senior Accountant being the Accountant concerned dealt with the contingent subject and he deposed that the name of Sri Saida was written with the consent of the then Sub Treasury Officers in 1989 only. Hence, he discharged his duties with the notice of his higher authorities i.e., the Sub Treasury Officers since 1989. Nobody raised any objection about Sri B.Saida. He accepted to write the name of Saida with the notice of the concerned higher authority but not manipulated. The name of the Sri B.Saida was written by Sri S.Arunkishore Babu with the notice of the Sub Treasury Officers only. Had the Sub Treasury Officers discharged their supervisory duties and as a Head of the Office, the unauthorized persons name would have not been added in the contingent register. Hence, the charge is unsustainable.

5. For Charge-II, it is submitted that Sri S.Arunkishore babu, Senior Accountant, Sub Treasury, Gurazala working from 1.4.96. His duty is to prepare the bill and present it to the Sub Treasury Officer for sanction and passing of the contingent bill. Further, he deposed that he known only Sri B.Saida but not B.Ramulu. The fact was also supported by the staff and other public and other departmental persons. He discharged his duties with the notice of Sub Treasury Officer. Hence the orders of Head of the office were obeyed in good faith and further he is a Senior Accountant but not sanctioning or payment authoiryt. He simply present the bill to the Sub Treasury Officer after putting pass order. It is the Sub Treasury Officer's lookout whether to pass the bill or not and thus he was not blamed for presenting the bill to the Sub Treasury Officer. Hence, the rule 3(1) of the APCS (Conduct) Rules 1964 was not violated. Hence, the charge leveled against him is not proved.

6. For Charge-III it is submitted that Sri S.Arunkishore babu, Senior Accountant, Sub Treasury, Gurazala charged for facilitation of the new contingent worker. The charged officer deposed that the name was written in the contingent register with the notice of the Sub Treasury Officers and nobody raised any objection about the working of Saida in the office as part time contingent worker and the payment was also paid to Sri B.Saida but not B.Ramulu. On enquiry with the public and other departmental persons reveals that sri B.Saida was only working in the Sub Treasury Office. Hence, the name of Sri B.Saida was written with the knowledge of the Sub Treasury Officers only and he has

acted and wrote the name of B.Saida with bonafied belief that he has every reason to believe Sub Treasury, Gurazala or public or other departmental persons questioned or expressed any doubt about Sri B.Saida's working in the Sub Treasury, Gurazala. The group photos also speaks that Sri B.Saida is office staff without any doubt. Hence, the charge is unsustainable.

7. In the reference 4th read above, the Charged Officer was supplied with E.O's report and was given opportunity under Rule 21 of APCS (CC&A) Rules, 1991 for further representation on the Enquiry Report. The individual has submitted his representation to the Enquiry Report, wherein he has stated that, he has gone through the Enquiry Officer's report and he agree and accepted with the Enquiry Officer's report into, and he deny the contents of the show cause notice issued by the Deputy Director, District Treasury, Guntur. Hence, he requested to consider and drop the charges leveled against him.

8. In the reference 5th read above, the DTA has sated that the Deputy Director, District Treasury, Guntur in his letter Rc.No.10710/03/A1, dt.22.10.2008 while forwarding relevant material pertaining to the disciplinary action against Sri Arun Kishore Babu, formerly Senior Accountant, Sub Treasury, Gurazala, has informed that the charged officer has retired from service on superannuation on 31.10.2007 and requested to drop further action. The DD has stated that Sri Saida was working as part time contingent worker at Sub Treasury Office, Gurazala, even prior to the joining of Sri S.Arun Kishore Babu the then Senior Accountant, Sub Treasury, Gurazala in his representation dt.16.04.2008 he has also submitted that the Additional Junior Civil Judge, Gurazala vide Proceedings.Dis.No.420, dt.19.08.08 has also dismissed the case filed in Crime.No.420 of IPC at Gurazala Police Station as "Mistake of fact". The DD has also stated that Sri S.Arun Kishore Babu, the then Senior Accountant, Sub Treasury, Gurazala was not responsible for appointment and continuation of Sri B.Saida as part time contingent worker and is alleged to have followed the instructions of the Sub Treasury Officer to prepare records for the disbursement of the wages. The same was reiterated by the charged officer in his defence statement and requested to drop the charges against Sri S.Arun Kishore Babu and the period of suspension period to be treated as duty in respect of Sri S.Arun Kishore Babu, Senior Accountant.

9. Government after careful examination of the matter, charge memo, written statement of defence enquiry report and also the remarks of Deputy Director, District Treasury, Guntur, conclude that Sri Arun Kishore Babu, Senior Accountant (Retd) was not responsible for appointment and continuation of Sri Saida as part time contingent worker and he followed the instructions of the STO to prepare records for disbursement of the wages, and hereby order to drop further action on the charge memo. issued in the reference 1st read above, against Sri Arun Kishore Babu, Senior Accountant (Retd), District Treasury Office, Guntur.

10. The Director of Treasuries and Accounts, A.P., Hyderabad is requested to take further action accordingly and to regularize the suspension period according to the provisions under F.R.54.

5. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT (FP)

To

The Director of Treasuries and Accounts, A.P., Hyderabad

//FORWARDED:: BY ORDER//

SECTION OFFICER